

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 23-4705

UNITED STATES OF AMERICA

v.

CARLOS ALSTON

**Unopposed Motion of the
United States for Seven-Day
Extension of Briefing Deadline**

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby moves the Court pursuant to Federal Rule of Appellate Procedure 26(b) for a seven-day extension of time in which to file its opening brief and, in support thereof, shows unto the Court the following:

1. The undersigned Assistant United States Attorney (AUSA) has the responsibility of preparing the government's opening brief, which is due to the Court on February 28, 2024. The undersigned has previously requested and was granted enlargements of time in this matter.

2. The undersigned AUSA has been working on various criminal matters before the District Court in the Eastern District of North Carolina, including sentencings in *United States v. Jones*, No. 5:23-CR-250-BO, *United States*

v. Zeigler, No. 7:23-CR-86-BO-1, and *United States v. Belin*, No. No. 7:23-CR-86-BO-2, all held on February 26, 2024, in Elizabeth City, North Carolina.

3. The undersigned AUSA is also responsible for other matters in the United States District Court, including a sentencing in *United States v. Durham*, No. 5:22-CR-150-M, set for today, February 27, 2024; in Wilmington, North Carolina; an arraignment in *United States v. Frederick*, No. 5:23-CR-108-D-RJ, set for February 29, 2024, in Raleigh, North Carolina; a sentencing in *United States v. Cansler*, No. 5:23-CR-70, set for the March 4, 2024, term of court in Raleigh, North Carolina; and a sentencing in *United States v. Means*, No. 5:21-CR-279, set for the March 5, 2024, in New Bern, North Carolina.

4. This request is not made for the purpose of delay, but to ensure a complete and accurate opening brief.

5. Counsel for the defendant does not oppose this extension request.

WHEREFORE, the government respectfully requests a seven-day extension of time to file its opening brief, resulting in a deadline of March 6, 2024.

Respectfully submitted this 27th day of February, 2024.

MICHEAL F. EASLEY, JR.
United States Attorney

/s/ Sarah E. Nokes
SARAH E. NOKES
Assistant United States Attorney
150 Fayetteville Street, Suite 2100
Raleigh, North Carolina 27601
Telephone: (919) 856-4530

CERTIFICATE OF COMPLIANCE

1. Pursuant to Rule 32(g) of the Federal Rules of Appellate Procedure, I hereby certify that this document meets the type-volume limits of Rules 27(d), 35(b)(2), and/or 40(b) because, exclusive of the portions of the document exempted by Rule 32(f), this document contains 302 words.

(Filings are not to exceed 5,200 words for a motion or response and 2,600 words for a reply, pursuant to Rule 27(d), or 3,900 words for a petition for panel rehearing or rehearing en banc, pursuant to Rules 35(b)(2) and/or 40(b)).

2. Further, this document complies with the typeface requirements of Rule 32(a)(5) and the type-style requirements of Rule 32(a)(6) because it has been prepared in Microsoft Word 2016 using fourteen-point *Calisto MT*, a proportional-width typeface.

/s/ Sarah E. Nokes
SARAH E. NOKES
Assistant United States Attorney